IN THE

SUPREME COURT

OF THE

UNITED STATES

October Term, 1975
No. 75-50

CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION, et al., *Appellants*,
v.
MOE, et al., *Appellees*.

October Term, 1974
No. 74-1656

JOHN C. MOE, et al., *Appellants*,
v.
CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION, et al., *Appellees*.

APPEAL FROM THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT
OF MONTANA

BRIEF FOR THE STATES OF WASHINGTON AND IDAHO AS AMICI CURIAE IN SUPPORT OF JURISDICTIONAL STATEMENTS

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I.

INTEREST OF AMICI CURIAE

Interest of the State of Washington

There are twenty-two Indian reservations within the State of Washington.[1] These reservations vary

[1]Department of Commerce, *Federal and State Indian Reservations and Indian Trust Areas*, pp. 531-577 (G.P.O. 1974)

greatly both in size and in the number of Indians living thereon.

At one end of the spectrum is the Yakima Reservation, consisting of approximately 1.1 million acres of tribally owned and allotted land.[1] There are approximately 5,000 enrolled members of the Yakima Nation.[2] At the other of the spectrum is the Puyallup Reservation, encompassing 33 acres of land,[3] most of which is used as an Indian cemetery and as a location for a cigarette shop. There are approximately 171 Indians residing on or near the reservation.[4] (While the original reservation consisted of 18,000 acres, and has not been terminated, *U. S. v. Washington*, 496 F.2d 620 (C.A. 9, 1974) all but the 33 acres have been alienated to non-Indians.)

Both of these reservations, however, share with each other, and with most of the twenty other reservations, a common characteristic: they are located in close proximity to major population centers and major highways. (See Appendix A, consisting of a BIA map, with principal highways emphasized by us.) Further, in the case of the two largest reservations, the Yakima Reservation and the Colville Reservation, the exterior boundaries of the reservation encompass sizable cities, with predominantly non-Indian populations.

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[2]Ibid, p. 575
[3]Ibid, p. 576
[4]Ibid, p. 556
[5]Ibid, p. 557

Thus, it is hardly surprising that there are approximately 65 Indian smoke shops located on 17 different reservations in the state of Washington. The present annual loss from these smoke shops in cigarette tax and retail sales tax is approximately $8 million.

As would be expected, the state of Washington is in litigation with most of the Indian tribes in the state on the question of the status of the tribe and its members under the cigarette tax, the retail sales tax, and other state excise taxes. A list of pending cases is attached hereto as Appendix B.

These tribes and the reservations they occupy generally fall into two categories, so far as the application of Public Law 83-280 is concerned. Approximately half of them fall into the category exemplified by the Colville Tribe on the Colville Reservation, which was involved in *Tonasket v. State*, 79 Wn.2d 607 (1971), 488 P.2d 281, judgment vacated, 411 US 451 (1973). The tribes in this category have requested that the state assume the full extent of jurisdiction permissible under PL 83-280, and the state has done so.

The other half of the tribes have not requested that the state assume such jurisdiction, and, pursuant to RCW 37.12.010, the state has assumed a relatively limited jurisdiction. This limited jurisdiction, as it applies to Indians on tribal or allotted lands held in trust or restricted as to alienation,

covers only eight specified subject matters. These eight enumerated subject matters are similar to the subject matters with respect to which jurisdiction was assumed over the Flathead Reservation in the case at bar. Thus, the Washington reservations in this second category are similar to the Flathead Reservation, so far as the application of PL 83-280 is concerned.[6]

The Washington retail sales tax and the Washington Cigarette Tax are similar to the Montana cigarette tax, in that the legal incidence of the tax is on the retail buyer, with the seller acting as a collecting agent.[7]

[6]RCW 37.12.010 provides as follows:
The state of Washington hereby obligates and binds itself to assume criminal and civil jurisdiction over Indians and Indian territory, reservations, country, and lands within this state in accordance with the consent of the United States given by the act of August 15, 1953 (Public Law 280, 83rd Congress, 1st Session), but such assumption of jurisdiction shall not apply to Indians when on their tribal lands or allotted lands within an established Indian reservation and held in trust by the United States or subject to a restriction against alienation imposed by the United States, unless the provisions of RCW 37.12.021 have been invoked, except for the following:
(1) Compulsory school attendance;
(2) Public assistance;
(3) Domestic relations;
(4) Mental illness;
(5) Juvenile delinquency;
(6) Adoption proceedings;
(7) Dependent children; and
(8) Operation of motor vehicles upon the public streets, alleys, roads and highways: PROVIDED FURTHER, That Indian tribes that petitioned for, were granted and became subject to state jurisdiction pursuant to this chapter on or before March 13, 1963 shall remain subject to state civil and criminal jurisdiction as if chapter 36, Laws of 1963 had not been enacted.
Neither the subject matters involved in the Montana assumption of jurisdiction nor those involved in the assumption of jurisdiction by Washington with respect to the second category of reservations expressly cover the subject matter of taxation.

[7]In Chapter 22, Laws of 1975, 1st Ex. Sess., the Washington State Legislature amended its cigarette tax statutes in two important respects. First, it eliminated the two-carton exemption contained in RCW 82.24.260 (section 7, chapter 157, Laws of 1972, ex. sess.), which was one of the provisions which was relied upon by this Court in remanding *Tonasket v. State* back to the Washington State Supreme Court. (411 US 451). RCW 82.24.260 was further amended to provide that, with certain exceptions, the state cigarette tax is a consumer-type tax, similar to the Montana cigarette tax involved in the case at bar, when the cigarettes being sold by the retailer are unstamped.

Interest of the State of Idaho

The state of Idaho contains within its boundaries four Indian reservations and a portion of another.

The Coeur d'Alene Reservation, as originally created by Executive Order, included approximately 400,000 acres. By an act of Congress approved July 13, 1892, a small portion of the reservation was restored to the public domain and on February 7, 1894, the Indians ceded by agreement a strip one mile wide across the north side of the reservation. The remainder of the reservation was open to settlement in 1910, excluding allotted lands.[8]

Presently, Indian ownership of lands within the original exterior boundaries of the reservation include 69,299 acres, 16,236 acres of which are tribally owned and 53,063 acres of which are allotted lands. U. S. Highway 95 is the major north-south route in the state of Idaho, which also bisects the reservation and connects with Interstate 90 to the north to Spokane, Washington, a distance of approximately 50 miles from the northern boundary of the reservation. 569 Indians reside upon or adjacent to the Coeur d'Alene Reservation.[9]

[8]Hawley, Jess. 1920. *History of Idaho*. Vol. 1. Clark Pub. Co. p. 35.

[9]*Federal and State Indian Reservations and Indian Trust Areas*, n. 1, *supra*, pp. 191, 192.

The present Nez Perce Reservation, created by treaty in 1863, contains nearly 750,000 acres. Present Indian ownership encompasses 87,496.92 acres, 34,185.50 acres of which are tribally owned and 53,311.42 acres of which are allotted lands.[10]

U. S. Highway 95 traverses the reservation, and the city of Lewiston, a seaport and fourth largest city in the state of Idaho, lies no more than eight miles from the western boundary of the reservation. There are approximately 1,485 Indians living in or near the reservation.[11]

The Fort Hall Reservation includes 524,014.31 acres, 224,005.78 acres of which are tribally owned, 257,665.73 acres of which are allotted lands, and 42,343.80 acres of which are government lands. Interstate 15 and U.S. Highway 91 are north-south highway arteries running through the reservation, while U.S. Highway 30 runs east-west through the reservation. The city of Pocatello is surrounded by the reservation in three directions and is the second largest city in Idaho. The city itself is twelve miles from the nearest reservation boundary. Two thousand seven hundred forty-four Indians reside on or near the reservation.[12]

The smallest reservation in Idaho is the Kootenai Reservation with its headquarters in Bonners Ferry, Idaho. The reservation has a total area of 2,695

[10]Ibid, p. 197.
[11]Ibid, p. 199.
[12]Ibid, pp. 193, 194.

acres, 12 acres of which are government owned, with the remainder being allotted lands. U. S. Highway 95 runs north-south just west of the reservation, and Bonners Ferry, Idaho, lies ten miles from the reservation. There are 51 Indians living in or near the reservation.[13]

The Duck Valley Reservation lies partly within and partly without the state. The portion within the state covers 145,545 acres, which is in tribal trust status. The land, however, may be assigned to members of the Shoshone and Paiute tribes. The reservation is comparatively isolated, but primary state Highway 51 bisects the reservation.[14]

The proximity of the Coeur d'Alene and Nez Perce Reservations to populous areas, the extent of non-Indian ownership of lands within the original exterior boundaries of the reservations, and the presence of primary traffic arteries within these reservations indicate a potential for unfair discrimination against non-Indian sellers of cigarettes in these areas, as well as a substantial loss of revenue to the state of Idaho estimated to be approximately one-half million dollars annually, should the Court determine that these Indians are not required to collect cigarette tax upon cigarettes sold to non-Indians, even though the cigarette tax is a tax upon the consumers of cigarettes.

The danger also exists in the area of the Fort

[13]Ibid, pp. 195, 196.
[14]Ibid, pp. 303, 304.

Hall Reservation, for even though the land within the reservation boundaries is still primarily owned by Indians, the reservation is located near a major population center and traffic arteries.

None of the tribes with reservations located within Idaho have requested the state to assume full jurisdiction, and pursuant to § 67-5101, Idaho Code, and PL 83-280 the state has assumed jurisdiction of the subject matters enumerated therein.[15] Thus, the Idaho reservations are similar to the Flathead Reservation with respect to their status under PL 83-280.

The Idaho Supreme Court has determined that the Idaho cigarette tax is not a tax upon consumers, and, in that respect, the state of Idaho is not presently similarly situated to the state of Montana with respect to the taxation of cigarette sales made upon its reservations.[16] However, consideration has been

[15]§67-5101, *Idaho Code*, reads as follows:
67-5101. State jurisdiction for civil and criminal enforcement concerning certain matters arising in Indian country.—The state of Idaho, in accordance with the provisions of 67 Statutes at Large, page 589 (Public Law 280) hereby assumes and accepts jurisdiction for the civil and criminal enforcement of state laws and regulations concerning the following matters and purposes arising in Indian country located within this state, as Indian country is defined by title 18, United States Code 1151, and obligates and binds this state to the assumption thereof:
A. Compulsory school attendance
B. Juvenile delinquency and youth rehabilitation
C. Dependent, neglected and abused children
D. Insanities and mental illness
E. Public assistance
F. Domestic relations
G. Operation and management of motor vehicles upon highways and roads maintained by the county or state, or political subdivisions thereof.

[16]*Mahoney v. State Tax Commission*, ... Idaho ....., 524 P.2d 187 (1973), *cert. den.* ..... US ..... (Dec. 23, 1974).

given to amending the cigarette tax in this respect. Further, the Idaho general retail sales tax is a vendee or consumer tax. See § 63-3619, Idaho Code.

II.

ARGUMENT IN SUPPORT OF JURISDICTIONAL STATEMENTS

A. The appeal of the Confederated Salish and Kootenai Tribes, No. 75-50.

If the Flathead Reservation in Montana, and the various reservations in Washington and Idaho were all remote and isolated areas, and if, as a result, the Indians residing thereon were geographically and economically isolated from the non-Indian population, the litigation in which these three states have become embroiled would probably have never arisen in the first instance. For absent this physical proximity to and integration with the non-Indian population, the problem of tax free sales of cigarettes or other merchandise by Indian retailers to non-Indian consumers would be minimal, if existent at all. It is not overly fanciful to suggest that the problem confronting Montana, Idaho, and Washington arises essentially from two combined sources: the invention of the automobile, and the federal government's past policy of opening up most Indian reservations to settlement by non-Indians.[17]

[17]This economic and physical integration in the Pacific Northwest presents a striking contrast with the situation on the Navaho reser-

In an attempt to exploit the economic advantage of their proximity to the non-Indian population, numerous Indians in Montana, Washington, and Idaho have set up "smoke shops" whose principal trade is with the non-Indian population.[18] The basic issue before the court on the appeal of the Indian retailers in the case at bar is this: do these Indians have a legal right to make sales to the non-Indian population free from any obligation to collect the tax which has been imposed upon their customers and which is required to be collected from those customers by the seller?

As recognized by the court below, this precise issue has not been passed upon by this Court. (May 10 opinion, page 19)

The legal uniqueness, as well as the practical importance, of this issue is perhaps best seen by comparing it with the issues involved in the trilogy of Indian tax cases decided in 1973, *Mescalero Apache Tribe v. Jones*, 411 U.S. 145, *McClanahan v. Arizona Tax Commission*, 411 U.S. 164, and *Tonasket v. Washington*, 411 U.S. 451.

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vation involved in *McClanahan v. Arizona State Tax Commission*, 411 U.S. 164, (1973). The relative isolation of the Navahos undoubtedly accounts for the fact that Arizona has not been experiencing any problem of substantial tax-free Indian sales to non-Indians, and accordingly no litigation similar to the case at bar has arisen between the Navahos and Arizona.

[18]This Indian tax problem has arisen primarily in the context of cigarette taxes, and for a very good reason. These taxes are typically high, the Montana tax being 12 cents a pack, the Washington tax being 16 cents a pack, and the Idaho tax being 9.1 cents a pack. To be able to sell tax free cigarettes obviously gives an overwhelming competitive advantage to the seller.

Like the Mescalero Apache Tribe, the Indian smoke shop owners in the case at bar have become entrepreneurs, dealing principally with the general non-Indian population. However, unlike the tribe in *Mescalero*, the Indian cigarette sellers do not have to move off their reservation in order to set up their new businesses. It is a simple matter for the non-Indian population to come to them; all it often takes is a short turn off the highway.

Thus, this case at bar has a similarity with *McClanahan*, in that the state law being challenged has its operative effect on the reservation. However, even apart from factual differences between the reservations involved, this case differs from *McClanahan* in two fundamental aspects. The challenged operative effect of the Montana law occurs solely with respect to a commercial transaction between the Indian and a non-Indian. Secondly, in such a transaction, the legal incidence of the tax is not upon the Indian seller, but rather upon the non-Indian buyer, with the Indian seller having solely a collection obligation. In contrast, the tax involved in *McClanahan* was an income tax, the legal incidence of which was solely upon the earnings of an Indian derived entirely from reservation sources, and having nothing to do with transactions with non-Indians.

Factually, the case at bar is closest to *Tonasket*, in which this court remanded the case for further consideration by the Washington State Supreme

Court. Like the case at bar, *Tonasket* involved the application of a cigarette tax to sales by an Indian retailer to non-Indian consumers. However, the case at bar has differences even from the *Tonasket* case. In *Tonasket*, the state had assumed maximum permissible jurisdiction under Public Law 83-280 over the Colville Reservation, whereas in the case at bar Montana has assumed only limited jurisdiction. Secondly, under the Washington cigarette taxes then in effect, the incidence of the tax was upon the seller rather than the consumer.[19]

This Court stated in *McClanahan*:

> "This case requires us once more again to reconcile the plenary power of the states over residents within their borders with the semi-autonomous status of Indians living on tribal reservations." 411 U.S. 164 at 165.

The case at bar requires another such reconciliation. However, the need for such reconciliation is even more urgent than in *McClanahan*. For what is at stake here is the alleged right of Indians to set up, in competition with non-Indian retailers, tax havens

[19]The degree of similarity between the case at bar and the *Tonasket* depends, of course, on how the question of the scope of Public Law 83-280 is resolved. On remand from this court, the Washington State Supreme Court reaffirmed its prior decision that Public Law 83-280 did include taxing jurisdiction, with the specific exceptions enumerated in Public Law 83-280 itself. See 84 Wn.2d 164 (1974). Dismissed for want of a substantial federal question, 420 US 915 (1975). In his brief *amicus curiae* urging reversal, the Solicitor General took the position that the Washington State Supreme Court was incorrect, i.e., that Public Law 83-280 did not include taxing jurisdiction within its reach. However, in this same brief, the Solicitor General expressly declined to take a position on the question of whether Indian retailers could make tax-free sales to non-Indians. If the Solicitor General be correct, and the Washington State Supreme Court incorrect, as to the scope of Public Law 83-280, the issue presented in *Tonasket* and the issue presented in the case at bar are even more similar than we have suggested above.

for the general non-Indian population which are not only destructive of state revenues, but of the business of non-Indian competitors.

From its very inception, this Court has been the guardian of the basic policy embodied in the interstate commerce clause of the constitution, i.e., the policy of affording free and equal competition in a national market, unfettered by state tax policies which are destructive of this competition. It would be ironical indeed were this Court to consider unimportant the question of whether Indians may move in exactly the opposite direction, i.e., may operate in the geographical pockets in which they may cut off any effective competition.[20]

B. The Appeal of the State of Montana, No. 74-1656.

The issue of the taxability of cigarette sales by an Indian retailer to an Indian consumer does not present as great a problem, revenue-wise, as does the issue of sales to non-Indian consumers. However, the issue does require a reconciliation between the unique legal status of Indians and the demands of the Due Process Clause of the Fifth Amendment. Although this Court dealt with a similar issue in *Morton v. Mancari*, 417 U.S. 535 (1974), the issue raised on this appeal involves fundamental

[20]Although, as previously noted in n. 4, the problem facing Montana, Washington and Idaho has developed in the context of cigarette taxes, the concern of the states is much broader than this. If cigarettes can be sold to non-Indians free from the cigarette tax, there is absolutely no reason why general merchandise cannot be similarly sold, free from a general retail sales tax.

questions which remain unanswered, even after *Morton*. Hence the importance of this issue.

Certain preliminary considerations may assist in putting this issue in focus.

First, in approaching any question involving the applicability of state substantive law to Indians on an Indian reservation, it is misleading to view the question in terms of the complete presence or the complete absence of such state substantive jurisdiction. All Indians are citizens of the United States and of the state in which they reside.[21] Accordingly, they are entitled to all of the benefits of the Equal Protection Clause of the Fourteenth Amendment. For example, if a state were to attempt to deprive reservation Indians of the right to vote, of the right to receive welfare payments or unemployment compensation, of the right to attend public schools, or of any other state service, this would be a violation of the Fourteenth Amendment. Thus, state substantive jurisdiction, insofar as it involves what might be termed the "benefit side" of state law, automatically extends to Indians and Indian reservations, by reason of the Fourteenth Amendment. What is in issue, then, is solely the applicability of what might be termed the "burden side" of state law, of which tax laws are but one example.

Secondly, the Congress has a unique obligation toward and a unique historical relationship with the

[21]See 8 USC 1401 (a) (2).

Indians, as a result of which the Congress may, in a manner consistent with the equal protection principles embodied in the due process clause of the Fifth Amendment, single out for special treatment a constituency of tribal Indians living on or near reservations. This special treatment, under certain circumstances, may include relief from the "burden side" of state laws, e.g., through congressionally mandated exemptions from state and local taxes, such as exemption of Indian land from property taxation. *Morton v. Mancari, supra*; *Board of County Commissioners v. Seber*, 318 U.S. 705 (1943).

Thirdly, and even more generally, the Congress has a very broad power to create immunities from state and local taxation for those entities, even though they be essentially private in nature, which it chooses to carry out valid federal programs. Thus the Congress may provide tax immunities for a private contractor performing functions for the Atomic Energy Commission [*Carson v. Roane-Anderson Company*, 342 U.S. 232 (1952)], and it may provide tax immunities for a federally chartered bank. *Agricultural National Bank v. Tax Commission*, 392 U.S. 339 (1968). Similarly, the Congress may exempt military personnel from certain state and local taxes. *Dameron v. Brodhead*, 345 U.S. 322 (1953).

However, could the Congress, consistently with the Fifth Amendment, establish a program for improving the economic status of a minority group,

such as Mexican-Americans, and thereby provide special immunities from state and local taxation for, e.g., Mexican-American servicemen, national banks owned by Mexican-Americans, or Mexican-American contractors doing business with the federal government? Quite clearly it could not. For this preferential tax immunity for the Mexican-Americans would bear no rationale relationship to Congress's undisputed power to provide for the common defense, establish a system of national banks, or provide for procurement of goods and services for federal agencies.

Should a different result obtain for reservation Indians? To state the issue more precisely, to what extent does the admitted power of Congress to provide for Indian welfare allow the Congress to provide preferential tax immunities for these Indians?

The key to answering this question is, we believe, provided in Footnote 12 of Judge Smith's dissent in the Supplemental Order and Opinion of February 4, 1975, in which he discusses *Morton v. Mancari* as follows:

> "I do not regard Morton v. Mancari, 417 U.S. 535 (1974), as contrary. That case involved the Indian in relationship to the federal government and not the Indian in relationship to the state. Even with respect to the federal government the opinion is carefully limited to the problem of preferential employment in the Bureau of Indian Affairs, which was related to 'Indian self-government.' Perhaps it can be said that granting Indians an exemption from cigarette

> taxation 'is reasonable and rationally designed to further Indian self-government,' but I don't think so.
>
> Where unequal rights are enjoyed by the Indian because [of] 'the unique legal status of Indian tribes under federal law and upon the plenary power of Congress, based on a history of treaties and the assumption of a "guardian-ward" status, to legislate on behalf of federally recognized Indian tribes,' (at 551) then it would seem that the inequality could be justified only in terms of that relationship. If the guardian requires that the ward be the beneficiary of the state's services and the ward accepts those services, then the new relationship of the ward is out of the orbit of federal management and the inequality should not persist as to the new relationship."

Judge Smith is suggesting that the Congress cannot "play it both ways". By making all Indians citizens, the Congress has extended to them the benefits of the Equal Protection Clause of the Fourteenth Amendment and has thereby required that the "benefit side" of state law must be afforded to Indians. To this extent, the guardian-ward status of Indians has been removed, and that status or special relationship with the federal government can no longer be used as justification for preferential tax immunities.

We are not suggesting, however, nor is Judge Smith suggesting, that the Fifth Amendment invalidates any and all special tax immunities for Indians. For example, it is still a function of the federal government to preserve intact the land holdings of

Indians. Accordingly, there can be no doubt as to Congress's power to exempt from taxation property owned by an Indian or an Indian tribe when it is held in trust or subject to a restriction against alienation. See *Board of County Commissioners v. Seber*, *supra*. But, in this instance the ward status of the Indians persists, and it is the continuation of this status which justifies the exemption.

Similarly, in establishing a federally funded economic assistance program for Indians, the Congress may provide tax immunities in furtherance of that program. See 25 USC 465, and *Mescalero Apache Tribe v. Jones*, 411 U.S. 145 (1973).

In the case at bar, however, the claim of tax immunity upheld by the majority of the district court was in no way related to any type of program undertaken by the federal government as guardian of the Indian wards. The claim was made—and upheld—solely because of the status of the claimants as reservation Indians.

Thus, the case at bar squarely presents the question of whether immunity from the "burden side" of state law is compatible with the Due Process Clause of the Fifth Amendment when the basis of the claimed immunity is simply and solely the status of the claimants as Indians.[22] This question is, we suggest, one of the major unresolved questions in the

[22]Note that the majority opinion expressly extended the immunity to any Indian residing on the reservation, whether he be a member of the Confederated Tribes or not.

entire field of Indian-State relations, and merits full consideration by this Court.[23]

CONCLUSION

For the reasons given above, probable jurisdiction should be noted for both appeals.

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APPENDIX A

PROXIMITY OF INDIAN RESERVATIONS TO MAJOR POPULATION CENTERS IN WASHINGTON STATE

APPENDIX B

MAJOR PENDING INDIAN TAX LITIGATION STATE OF WASHINGTON

King v. Kinnear, USDC WD No. 4243 (Puyallup)

[23]*McClanahan v. Arizona Tax Commission*, 411 U.S. 164 (1973) is not determinative of this issue, for the reason that it did not address itself to this issue. However, if *McClanahan* be read as deciding this issue with respect to Indians residing on a remote and isolated reservation such as that of the Navajos, a further question remains. Are the Indians on the Flathead reservation, as a factual matter, more akin to the Navajos on the one hand or to the Oklahoma Indians on the other. See *Oklahoma Tax Commission v. United States*, 319 U.S. 598 (1943). As recognized in *McClanahan*, these factual differences lead to different legal results. 411 U.S. at 167, 168.

Frank, Mills and Adams, et al. v. Kinnear, USDC WD No. 62-71C3 (Nisqually)

George v. Kinnear, USDC WD No. 266-73C2 (Port Madison)

Confederated Tribes of the Colville, et al. v. State, USDC ED No. 3868 (Colville, Lummi, Makah)

Satiacum v. McCaffree, USDC WD No. C74-111T (Puyallup)

U.S.A. v. State, USDC ED No. 3909 (Yakima)

The Quileute Indian Tribe, et al. v. State, USDC WD C74-761S (Quileute, Muckleshoot, Nisqually, Chehalis, Skokomish, Squaxin Island, Quinault, Shoalwater Bay)

APPENDIX A

PROXIMITY OF INDIAN RESERVATIONS TO MAJOR POPULATION CENTERS IN WASHINGTON STATE